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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,703	01/24/2002	Joel Maurin	T2147-907679	7844

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

OKORONKWO, CHINWENDU C

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

JP

Office Action Summary	Application No.	Applicant(s)	
	10/053,703	MAURIN ET AL.	
	Examiner	Art Unit	
	Chinwendu C. Okoronkwo	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In response to communications filed on 10/06/2005, applicant does amend claim 4; does not cancel any claims. The following claims, claims 1-8, are presented for examination.

1.1 In response to communications filed on 1/06/2006, the USC 101 rejection to claims 1, 2, 5 and 6 have been withdrawn.

1.2 Applicant's arguments, pages 5-6, filed on 1/06/2006, with respect to the rejection of claims 1-8 have been fully considered but they are not persuasive. Claim 4 has been amended to include the limitations "new cookie header, and assigning a configurable default name to said specific cookie to enable the server machine to distinguish the certificate from cookies of the request."

Applicant states that the cited portion of Devine contains disclosure of server side as well as client side security protocol usage. Devine discloses a client sending a "certificate with signing ability – a digitally signed certificate verify message" to "verify the certificate (89)." This message sent from the client browser to the desired [cookie jar server] ... includes an SSL encryption header 110 and a network-level protocol HTTP/POST header 112 which are decrypted by the Secure web Server(s) 24 to access the underlying message (94)." The said

header is of the said HTTPS request from paragraph 0094 used in rejecting this limitation. Additionally, Examiner cites paragraphs 102 and 121 as disclosing that "signed applets enable the user to verify the applets as being from a trusted source and allow applets to write to the local disk." Examiner respectfully disagrees with the argument of applicant and maintains reasoning behind the initial rejection. Applicant has not overcome the rejection.

Applicant has amended claim 4 to recite "method according to claim 3, further comprising: adding a specific cookie into the existing or new cookie header, and assigning a configurable default name to said specific cookie to enable the server machine to distinguish the certificate from cookies of the request." Examiner maintains that the cited portion of Devine et al. does read upon the amended claim 4 (0118 of Devine et al.). The Examiner's reasoning is that, due to the nature of a cookie, it is inherent to make use of the cookie header when using a cookie, appending to it some identifying/distinguishing an element or creating and assigning values (including a link to another cookie or a nested cookie) to the particular variables within the header.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, 4, 5, 6, 7, 8 are rejected under 35 U.S.C. 102(e) as being disclosed by Devine et al. (U.S. Patent Publication No. 6,598,167).

Regarding claim 1, Devine et al., discloses a method for communicating to a server machine (2b) a certificate of a user (4) sent by a client machine (2a) via a security module (2c) of a computer system (1), the protocol used between the machine (2a) and (2b) being HTTP or an equivalent protocol, a security protocol like SSL or an equivalent protocol being implemented between the client machine (2a) and the security module(2c), characterized in that it consists of inserting said certificate into a cookie header of a request in HTTP or an equivalent protocol in order to transmit them from the security module (2c) to the server machine (2b) (0029, 0066, 0083, 0130 and 0131 of Devine et al.).

Regarding claim 2, Devine et al., discloses a method according to claim 1, characterized in that it consists of removing from said certificate all of the separators used in the headers of the HTTP messages prior to its insertion into a cookie header (0131 of Devine et al.).

Regarding claim 3, Devine et al., discloses a method according to either of claims 1 and 2, characterized in that it consists of searching, prior to the insertion of said certificate into a header, to see if a cookie header is present in -the HTTP request sent by the client machine (2a) and if not, of creating one (0124 of Devine et al.).

Regarding claim 4, Devine et al., discloses a method according to claim 3, characterized in that it consists of adding a specific cookie into the existing or created cookie header, a configurable default name being assigned to said specific cookie enabling the server machine (2b) to distinguish the certificate from the cookies of the HTTP or equivalent request (0118 of Devine et al.).

[The examiner's reasoning: Due to the nature of a cookie, it is inherent to make use of the cookie header when using a cookie, appending to it some identifying/distinguishing an element or creating and assigning values to the particular variables within the header.]

Regarding claim 5, Devine et al., discloses a method that consists of transmitting to the server machine (2b) the HTTP or equivalent request sent by the client machine (2a) into which the certificate has been inserted (0130 and 0131 of Devine et al.).

Regarding claim 6, Devine et al., discloses a security machine (2c) for securing the exchanges between a client machine (2a) and a server machine (2b) of a computer system (1), the protocol used between the machine (2a) and (2b) being HTTP or an equivalent protocol. a security protocol like SSL or an equivalent protocol being implemented between the client machine (2a) and said security machine (2c), characterized in that it comprises analyzing means (6) that make it possible to transmit a certificate into a cookie header of an HTTP or equivalent request (0130 and 0131 of Devine et al.).

Regarding claim 7, Devine et al., discloses a system comprising a client machine (2a), a server machine (2b) and a security module (2c), the protocol used between the machine (2a) and (2b) being HTTP or an equivalent protocol, a security protocol like SSL or an equivalent protocol being implemented between the client machine (2a) and the security module (2c), characterized in that the security module (2c) comprises analyzing means (6) that make it possible to

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transmit a certificate sent by the client machine (2a) into a cookie header of an HTTP or equivalent request (0029, 0066, 0083, 0130 and 0131 of Devine et al.).

Regarding claim 8, Devine et al., discloses a program integrated into a security module (2c) that allows the method according to any of claims 1 through 5 to be executed when the program is run in a machine (0149 of Devine et al.).

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chinwendu C. Okoronkwo whose telephone number is (571) 272

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2662. The examiner can normally be reached on MWF 7:15 - 4:30 and TuTh 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272 3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CCO



February 7, 2006

CEL
Primary Examiner
AVZ131
2/15/06